

IN THE CLAIMS

Please cancel claims 27 and 42.

Please amend claims 9, 14, 17, 20, 26, 28, 32-37, 39-41, 43-52, 54 and 56-59 as follows:

9. (Amended) The transgenic plant of claim 8, wherein the DNA sequence codes for a citrate synthase comprising the amino acid sequence given in [SeqID No. 1, SeqID No. 2 or SeqID No. 3] SEQ ID NO: 2, SEQ ID NO: 4 or SEQ ID NO: 6 or a fragment thereof provided that the fragment displays citrate synthase activity.

In claim 14, please replace "Seeds" with --A seed--.

In claim 17, please replace "containing" with --comprising--.

In claim 20, please replace "Bacteria" with --A bacterial cell--, and replace "containing" with --comprising--.

In claim 26, part (a), please add --sequence-- after DNA.

In claim 26, part (b), please replace "this DNA" with --the DNA sequence--.

~~31~~ 28. (Amended) The process of any one of claims [25 to 27] 25, 26 or 60, wherein the DNA sequence transcribed into anti-sense RNA comprises the nucleotide sequence given in [SeqID No. 1 or SeqID No. 2, or SeqID No. 3] SEQ ID NO: 1, SEQ ID NO: 3 or SEQ ID NO: 5, an essentially identical nucleotide sequence or a part thereof or derivatives thereof which are derived by insertion, deletion or substitution of this sequence or a DNA sequence which shows a high degree of homology to such a DNA sequence or a part of such sequence wherein the used DNA sequence or part thereof has a length and a degree of homology to an endogenous citrate synthase gene sufficient to elicit an antisense effect and thereby inhibit expression of said endogenous citrate synthase gene.

32. (Amended) The process of claim 31, wherein

- (a) a DNA molecule which is of homologous or heterologous origin and which codes for a protein having a citrate synthase activity is stably integrated into the genome of a plant cell;
- (b) [this] the DNA molecule is expressed constitutively or upon induction due to the combination with suitable elements controlling [the] transcription;
- (c) because of ~~this~~ expression the citrate synthase activity in the transgenic cells increases and
- (d) ~~plants~~ are regenerated [form] from the transgenic cells.

33. (Amended) The process of claim 31 or 32, wherein the DNA [sequence] molecule comprises a nucleotide sequence which codes for a protein having the

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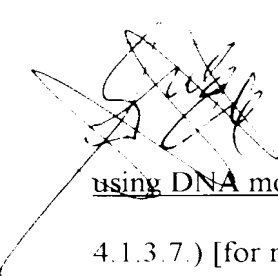
amino acid sequence given in [SeqID No. 1 or SeqID No. 2 or SeqID No. 3] SEQ ID NO: 2, SEQ ID NO: 4 or SEQ ID NO: 6 or an essentially identical amino acid sequence or for a part of these sequences wherein the protein encoded by the DNA [sequence] molecule or the part thereof displays citrate synthase activity.

34. (Amended) The process of claim 31 or 32, wherein the DNA [sequence] molecule comprises the nucleotide sequence given in [SeqID No. 1 or SeqID No. 2 or SeqID No. 3] SEQ ID NO: 1, SEQ ID NO: 3 or SEQ ID NO: 5, or an essentially identical nucleotide sequence or a part thereof, wherein the protein encoded by the DNA [sequence] molecule or part thereof displays citrate synthase activity.

In claim 35, please replace "DNA sequence" with --DNA molecule--.

In claim 36, please replace "DNA sequence" with --DNA molecule--.

In claim 37, please replace "DNA sequence" with --DNA molecule--.

 39. (Amended) A method for modifying the flowering behavior of plants using DNA molecules [Use of DNA sequences] which code for citrate synthase (EC No. 4.1.3.7.) [for modifying the flowering behaviour of plants].

40. (Amended) The method according to [The use of] claim 39 wherein [the] flower formation is inhibited

41. (Amended) The method according to [The use of] claim 39 wherein [the] flower formation is induced

In claim 43, please replace "sequence" with --molecule--, and replace "claim 42" with --claim 61--.

In claim 44, please replace "sequence" with --molecule--, and replace "claim 42" with --claim 61--.

In claim 45, please replace "sequence" with --molecule--, and replace "claim 42" with --claim 61--.

46. (Twice amended) The DNA [sequence] molecule according to claim [42] 61, which codes for a protein comprising the amino acid sequence given in SEQ ID NO: [1] 2 or an essentially identical amino acid sequence, said protein having citrate synthase activity.

47. (Twice amended) The DNA [sequence] molecule according to claim [42] 61, which codes for a protein comprising the amino acid sequence given in SEQ ID NO:

[2] 4 or an essentially identical amino acid sequence, said protein having citrate synthase activity.

48. (Twice amended) The DNA [sequence] molecule according to claim [42] 61, which codes for a protein comprising the amino acid sequence given in SEQ ID NO: [3] 6 or an essentially identical amino acid sequence, said protein having citrate synthase activity.

In claim 49, please replace "sequence" with --molecule--, and replace "claim 42" with --claim 61--.

50. (Twice amended) The DNA [sequence] molecule according to claim [42] 61, which comprises the nucleotide sequence given in SEQ ID NO: [3] 5 or an essentially identical nucleotide sequence which codes for a protein having citrate synthase activity.

51. (Twice amended) The DNA [sequence] molecule according to claim [42] 61, which comprises the nucleotide sequence given in SEQ ID NO: [2] 3 or an essentially identical nucleotide sequence which codes for a protein having citrate synthase activity.

52. (Amended) A plasmid comprising [a] the DNA [sequence] molecule of any one of claims [42] 43 to 51 or 61.

In claim 54, please replace "9385" with --9358--.

56. (Amended) A bacterial cell comprising the [Bacteria, containing a] DNA [sequence] molecule of any one of claims 43 to 51 or 61, or [42 to 51 or a] the plasmid of any one of claims 52 to 55.

u 57. (Amended) [Use of a] The DNA [sequence] molecule according to [of] any one of claims [42] 43 to 51 or 61 [in combination with] ^{further} comprising control elements for [an] expression of the DNA molecule in [pro-] procaryotic and/or eucaryotic cells.

58. (Amended) A method for preventing the synthesis of an endogenous citrate synthase in a cell comprising using the DNA molecule according to [Use of a DNA sequence of] any one of claims [42] 43 to 51 or 61 [for the expression of] to express a non-translatable mRNA [which prevents the synthesis of an endogenous citrate synthase in the cells].

59. (Amended) A method for isolating homologous sequences from the genome of a plant comprising using [Use of] the DNA [sequence] molecule according to [of] any one of claims 49 to 51 [for isolating homologous sequences from the genome of plants].

Please add the following claims:

60. The process of claim 25 or 26, wherein the DNA sequence transcribed into ~~anti-sense~~ RNA comprises a nucleotide sequence which codes in sense orientation for a protein having the amino acid sequence given in SEQ ID NO: 2, SEQ ID NO: 4 or SEQ ID NO: 6 or a DNA sequence which shows a high degree of homology to such a DNA sequence or a part of such sequence wherein the used DNA sequence or part thereof has a length and a degree of homology to an endogenous citrate synthase gene sufficient to elicit an antisense effect and thereby inhibit expression of said endogenous citrate synthase gene.

61. A DNA molecule of a plant of the *Solanaceae* family or the *Chenopodiaceae* family which comprises the coding region for a citrate synthase (EC No. 4.1.3.7.), characterized in that the information in the nucleotide sequence permits, upon integration into a plant genome, the formation of transcripts through which an endogenous citrate synthase activity can be suppressed, or permits the formation of transcripts by which the citrate synthase activity in the cells can be increased.

REMARKS

The Amendments to the Specification

Applicants note an incorrect comment made in their previous correspondence with the Patent Office. In the originally filed Sequence Listing, SEQ ID NOS. 1-3 included both nucleotide and amino acid sequences. On July 17, 1998, applicants separated the amino acid sequences from the nucleotide sequences in a Supplemental Preliminary Amendment and